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EXAMINER

MANCHO, RONNIE M

| ART UNIT | PAPER NUMBER |
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3663

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,197

Applicant(s)

WAKO, HIKARU

Examiner

Ronnie Mancho

Art Unit

3663

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-16 and 19 is/are allowed.
- 6) ☐ Claim(s) 1-10, 17, 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10, 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaplan et al (6401034) in view of applicant's prior art, fig. 11.

Regarding claim 1, Kaplan et al (fig. 3, col. 9, lines 54+) disclose a method of displaying a POI icon at the location point of a POI on a map displayed by a navigation system, comprising:

defining a plurality of POI categories (fig. 6);

storing a location point and a type of POI for every POI in each category (col. 3, lines 34-58);

displaying the map image including POIs located on the map, wherein POI's from two or more categories can be displayed on the map, POI's in each category are displayed on the map by a common POI icon (figs. 15&16; col. 11, lines 7-67; fig. 3, col. 9, lines 54+); and

displaying the type of POI within a category when a POI icon is selected (figs. 3&16; col. 7, lines 47-67) from the map image.

Although Kaplan did not disclose that the POI icons displayed on the map for different POI categories are visually distinct; however, Kaplan (col. 12, lines 5-18) indicates that POI icons can be communicated or displayed on a map in different ways. Then the applicant's prior art, fig. 11 teaches of different POI icons displayed on the map at the same time, wherein some

Art Unit: 3663

of the POI categories are differentiated by type. Therefore, it would have been obvious to one of ordinary skill in the art of displaying POI icons to modify the Kaplan method as taught by the applicant's prior art, fig. 11, for the purpose of effectively displaying or communicating different types of POI icons on a navigational map.

Regarding claim 2, Kaplan et al (fig. 3, col. 9, lines 54+) disclose the method according to claim 1, wherein said POI category is restaurants (col. 3, lines 54-58) and said type of POI is type of food classified by country (fig. 9, col. 7, lines 60-67).

Regarding claim 3, Kaplan et al (fig. 3, col. 9, lines 54+) disclose the method according to claim 1, wherein the map is scrolled by an operation for moving a cursor 132, 136 (figs. 16, 4, 8, 9, etc; col. 6, lines 50-to col. 7, lines 108, also see "press back" icon or "press forward" icon) and the POI icon corresponding to a POI is selected (fig. 16, col. 11, lines 14-33; col. 12, lines 16-30) by said cursor 132, 136.

Regarding claim 4, Kaplan et al disclose the method according to claim 3, further comprising:

storing a POI name for each POI (col. 3, lines 40-58; fig. 8, col. 7, lines 47-59);

displaying POI names of a plurality of POI icons which are overlapped by the cursor (figs. 8, 3, 16; col. 7, lines 47-67); and

selecting the POI icon corresponding to a desired POI by selecting the POI name of said POI among said plurality of POI names (fig. 8; col. 7, lines 47-59).

Regarding claim 5, Kaplan et al disclose the method according to claim 1, wherein a destination is set after selecting the POI icon, thereby searching a route to the POI corresponding to said POI icon (fig. 3, col. 5, lines 55-67; col. 9, lines 54 to col. 10, lines 1-24).

Art Unit: 3663

Regarding claim 6, Kaplan et al disclose a method of displaying a POI icon at the location point of a POI on a map, displayed by a navigation system, comprising:

defining a plurality of POI categories (fig. 6);

storing a location point and a type of POI for every POI in each category (col. 3, lines 40-58);

presetting the type of POI in a selected POI category (col. 3, lines 40-58; fig. 8, col. 7, lines 47-67);

displaying the map image including POIs located on the map, wherein POIs of said preset type of POI are displayed on the map by a common POI icon (figs. 15&16; col. 11, lines 7-67; fig. 3, col. 9, lines 54; and

displaying the type of POI within a category when a POI icon is selected (figs. 3&16; col. 7, lines 47-67) on the map image.

Although Kaplan did not disclose that the POI icons displayed on the map for different POI categories are visually distinct; however, Kaplan (col. 12, lines 5-18) indicates that POI icons can be communicated or displayed on a map in different ways. Then the applicant's prior art, fig. 11 teaches different POI icons displayed on the map for different POI categories, wherein the POI categories are further differentiated by type. Therefore, it would have been obvious to one of ordinary skill in the art of displaying POI icons to modify the Kaplan method as taught by the applicant's prior art, fig. 11, for the purpose of effectively displaying or communicating POI icons on a navigational map.

Art Unit: 3663

Regarding claim 7, Kaplan et al disclose the method according to claim 6, wherein one POI category is restaurants and said type of POI is type of food classified by country (figs 7-9; col. 7, lines 35 to col. 8, lines 1-14).

Regarding claim 8, Kaplan et al disclose the method according to claim 6, wherein the map is scrolled by an operation for moving a cursor and the POI icon corresponding to a POI is selected by said cursor (fig. 8; col. 7, lines 47-59).

Regarding claim 9, Kaplan et al disclose the method according to claim 8, further comprising:

storing a POI name for each POI (col. 3, lines 40-58; fig. 8, col. 7, lines 47-67);

displaying POI names of a plurality of POI icons which are overlapped by the cursor (fig. 8, col. 7, lines 47-67);; and

selecting the POI icon corresponding to a desired POI by selecting the POI name of said POI among said plurality of POI names (fig. 8, col. 7, lines 47-67);.

Regarding claim 10, Kaplan et al disclose the method according to claim 6, wherein a destination is set after selecting the POI icon, thereby searching a route to the POI corresponding to said POI icon (col. 9, lines 54 to col. 10, lines 1-29; col. 12, lines 16-24).

Regarding claim 17, Kaplan et al disclose a navigation system for displaying a Point of Interest (POI) icon at the location point of a POI on a map, comprising:

means for storing a location point and a type of POI for every POI in each of a plurality of POI categories (col. 3, lines 34-58; figs. 8&9, col. 7, lines 47-67);

Art Unit: 3663

means for displaying the map image including the POIs located on the map, wherein POIs from two or more categories can be displayed on the map, POIs in each category are displayed on the map by a common POI icon (figs. 7-9, col. 7, lines 47-67);

means for selecting a POI icon (figs. 7-9, col. 7, lines 47-67; fig. 16) on the map image; and

means for displaying the type of POI within a category when a POI icon is selected (figs. 7-9, col. 7, lines 47-67).

Although Kaplan did not disclose that the POI icons displayed on the map for different POI categories are visually distinct; however, Kaplan (col. 12, lines 5-18) indicates that POI icons (results of intermediate stops) can be communicated or displayed on a map in different ways. Then the applicant's prior art, fig. 11 teaches of different POI icons displayed on the map at the same time for different POI categories, wherein the different POI categories are different or visually distinct. Therefore, it would have been obvious to one of ordinary skill in the art of displaying POI icons to modify the Kaplan device as taught by the applicant's prior art, fig. 11, for the purpose of effectively displaying or communicating POI icons on a navigational map.

Regarding claim 18, Kaplan et al disclose a navigation system for displaying a Point of Interest (POI) icon at a displayed location point of a POI on a map, comprising:

means for storing a location point and a type of POI for every POI in each of a plurality of POI categories (col. 3, lines 34-58; figs. 7-9, col. 7, lines 47-67);

means for presetting the type of POI in a selected POI category (figs. 7-9, col. 7, lines 47-67);

Art Unit: 3663

means for displaying the map image including the POIs located on the map, wherein POIs of said preset type of POI are displayed on the map by a common POI icon (figs. 7-9, col. 7, lines 47-67);

means for selecting a POI icon (figs. 7-9, col. 7, lines 47-67; fig. 16) on the map image; and

means for displaying the type of POI within a category, when a POI icon is selected (col. 3, lines 40-58; figs. 8&9, col. 7, lines 47-67);

Although Kaplan did not disclose that the POI icons displayed on the map for different POI categories are visually distinct; however, Kaplan (col. 12, lines 5-18) indicates that POI icons (results of intermediate stops) can be communicated or displayed on a map in different ways. Then the applicant's prior art, fig. 11 teaches of different POI icons displayed on the map for different POI categories, wherein the categories are different or visually distinct. Therefore, it would have been obvious to one of ordinary skill in the art of displaying POI icons to modify the Kaplan device as taught by the applicant's prior art, fig. 11, for the purpose of effectively displaying or communicating POI icons on a navigational map.

Allowable Subject Matter

3. Claims 16, 11-15, 19 are allowed.

4. The following is an examiner's statement of reasons for allowance:

In claim 16, the prior art does not disclose the limitation "displaying only one POI icon and deleting the other POI icons, when a plurality of the same POI icons are included within said predetermined area indicated by cursor".

Art Unit: 3663

In claim 11, 19, the prior art does not disclose a list. Claims 12-15 are allowed for depending on claim 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

5. Applicant's arguments filed 11/02/04 have been considered, but are not all persuasive.

With respect to claims 1-10, 17, 18, the second prior art covers the deficiencies of the first prior art. Therefore, the rejections to claims 1-10, 17, 18 stand. The arguments for claims 11-15, 19 are persuasive and the rejections thereto are withdrawn.

Communication

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronnie Mancho whose telephone number is 703-305-6318. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Black can be reached on 703-305-8233. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Art Unit: 3663

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Ronnie Mancho
Examiner
Art Unit 3663

11/12/04


THOMAS G. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600